



CITY COUNCIL

JAN SUMRALL
DISTRICT NO. 1

ROSE RODRIGUEZ
DISTRICT NO. 2

LARRY M. MEDINA
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

LUIS G. SARIÑANA
DISTRICT NO. 7

ANTHONY COBOS
DISTRICT NO. 8

REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
SEPTEMBER 18, 2001
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Raymond C. Caballero present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, Larry M. Medina, John F. Cook, Daniel S. Power, Paul Joseph Escobar, Luis G. Sariñana and Anthony Cobos. Absent: None. Meeting was called to order and the invocation was given by Pastor John Stowe, Our Lady of Mt. Carmel Catholic Church, followed by the Pledge of Allegiance to the Flag of the United States of America, Mayor's Proclamations & Certificates.

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Motion made by Representative Medina, seconded by Representative Sariñana, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.
(Items approved under Consent Agenda will be shown with an asterisk {*}).
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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Airline Operating Agreement and Terminal Building Lease between the City of El Paso, Texas (Lessor), America West Airlines, Inc. (Lessee), together with related documents.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign, on behalf of El Paso City-County Health & Environmental District, the following contract amendment and renewal with the Texas Department of Health:

AC Family Health – Population Based
Document No. 7460007499-2002, Attachment No. 13
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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the following contracts on behalf of the Arts Resources Department for the FY 2002 Visual Arts Series to be held at the People's Gallery located on the first floor of City Hall, as recommended by the Arts Resources Department Staff:

1. Lisa Ewart Miller, cost of \$500.00, for the exhibition during October 4, 2001 through November 30, 2001
2. Melanie L. Sinclair; cost of \$250.00 for the exhibition during December 6, 2001 through January 31, 2002
3. Brigitte Von Ahn; cost of \$250.00 for the exhibition during December 6, 2001 through January 31, 2002

***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner: MARTINEZ, GILBERTO & CARMEN of the hereinafter described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owner, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Deputy Director of the Department of Solid Waste Management has reported the cost of doir such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

9731 Vallarta Drive, City of El Paso, El Paso County, Texas, being more particularly described as Lot 26, Block 10, Colonia Del Prado Subdivision, Parcel C729-999-0100-5100,

to be ONE HUNDRED SEVENTEEN AND 45/100 DOLLARS (\$117.45) as reported by the Deputy Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Eighth day of January, 2001 and approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount of One Hundred Seventeen and 45/100 Dollars (\$117.45) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

***R E S O L U T I O N**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner: JEDDERY, LAWRENCE E. & G. of the hereinafter described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owner, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Deputy Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

113 Chip Chip Lane, City of El Paso, El Paso County, Texas, being more particularly described as Lot TR 13-C-2-A (0.08 ACRE) & TR 13-C-8 (0.11 ACRE) (0.19 ACRE), Block 27, Ysleta Subdivision, Parcel Y805-999-0270-1347,

to be TWO HUNDRED EIGHTY FIVE AND 78/100 DOLLARS (\$285.78) as reported by the Deputy Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Twenty Seventh day of November, 2000 and approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount of Two Hundred Eighty Five and 78/100 Dollars (\$285.78) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's Office relating to the proceeding against the abovedescribed property are made a part of this Resolution by reference.

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***R E S O L U T I O N**

WHEREAS, in accordance with Section 18.52.040 and Section 18.52.080 of the El Paso City Code, the City Council of the City of El Paso, by Resolution dated the 29th day of May, 2001 and the 24th day of July, 2001, after due notice and hearing, ordered RAMON ORONA, record Owner of the hereinafter described property that the Building be secured within thirty (30) days, and clean the premises of all weeds, trash, and debris all within thirty (30) days; and the Owner having failed after due notice to comply with such ORDER, any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to secure the Building, and clean the premises of all weeds, trash and debris; and the mortgagees, lienholders and other persons having an interest in the property failed after due notice to comply with such ORDER, the Street Department of the City of El Paso proceed to secure the Building and clean the premises of all weeds, trash and debris.

WHEREAS, the Deputy Director for Building Services Department has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council determines the actual cost of securing and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Portion of Lots 9 through 16, both inclusive, Block 109, Grandview Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 11, Page 60, Plat Records of El Paso County, Texas, more particularly described as 3100 Dyer Street,

to be \$2,618.26, performed by the Street Department of the City of El Paso, \$644.82 incurred by the City Attorney's Office and City Clerk's Office in providing notice, and obtaining title report, making a total of \$3,263.08. The City Council finds that the work was completed on the 9th day of August, 2001, and approves the costs.

2. That the City Council, in accordance with Section 18.52.040 of the El Paso City Code, declares the above total amount of THREE THOUSAND TWO HUNDRED SIXTY-THREE AND 08/XX DOLLARS (\$3,263.08) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the abovedescribed property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Section 18.52.040 and Section 18.52.080 of the El Paso City Code, the City Council of the City of El Paso, by Resolution dated the 17th day of April, 2001, after due notice and hearing, ordered MARIA AND DARIO HERNANDEZ, record Owners of the hereinafter described property that the Building be secured within thirty (30) days, and clean the premises of all weeds, trash, and debris all within thirty (30) days; and the owners having failed after due notice to comply with such ORDER, any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to secure the Building, and clean the premises of all weeds, trash and debris; and the mortgagees, lienholders and other persons having an interest in the property failed after due notice to comply with such ORDER, the Street Department of the City of El Paso proceed to secure the Building and clean the premises of all weeds, trash, and debris.

WHEREAS, the Deputy Director for Building Services Department has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council determines the actual cost of securing and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lot 24, Block 325, Vista Del Sol Unit Sixty-Six, an addition to the City of El Paso, El Paso County, Texas according to the plat thereof, recorded in Volume 56, Page 46, Plat Records of El Paso, County Texas, more particularly described as 1644 Henri Dunant Way,

to be \$1,466.59, performed by the Street Department of the City of El Paso, \$660.61 incurred by the City Attorney's Office and City Clerk's Office in providing notice, and obtaining title report, making a total of \$2,127.20. The City Council finds that the work was completed on the 29th day of June, 2001, and approves the costs.

2. That the City Council, in accordance with Section 18.52.040 of the El Paso City Code, declares the above total amount of TWO THOUSAND ONE HUNDRED TWENTY-SEVEN AND 20/XX DOLLARS (\$2,127.20) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the abovedescribed property are made a part of this Resolution by reference.

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***RESOLUTION**

WHEREAS, in accordance with Section 18.52.040 and Section 18.52.080 of the El Paso City Code, the City Council of the City of El Paso, by Resolution dated the 20th day of March, 2001, after due notice and hearing, ordered FREDERICK J. AND EVA M. DAVIDS, record Owners of the hereinafter described property that the Building be demolished within thirty (30) days, and clean the premises of all weeds, trash, and debris all within thirty (30) days; and the Owners having failed after due notice to comply with such ORDER, any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to demolish the Building, and clean the premises of all weeds, trash and debris; and the mortgagees, lienholders and other persons having an interest in the property failed after due notice to comply with such ORDER, the Street Department of the City of El Paso proceed to demolish the Building and clean the premises of all weeds, trash, and debris.

WHEREAS, the Deputy Director for Building Services Department has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council determines the actual cost of demolishing the Building and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lot 5, Block 2, Sarah Anne Park, an addition to the city of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 34, Page 16, Plat Records of El Paso County, more particularly described as 10608 Murphy Street,

to be \$4,744.32, performed by the Street Department of the City of El Paso, \$279.65 incurred by the City Attorney's Office and City Clerk's Office in providing notice, and obtaining title report, making a total of \$5,023.97. The City Council finds that the work was completed on the 2nd day of August, 2001, and approves the costs.

2. That the City Council, in accordance with Section 18.52.040 of the El Paso City Code, declares the above total amount of FIVE THOUSAND TWENTY-THREE AND 97/XX DOLLARS (\$5,023.97) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

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***RESOLUTION**

WHEREAS, in accordance with Section 18.52.040 and Section 18.52.080 of the El Paso City Code, the City Council of the City of El Paso, by Resolution dated the 17th day of April, 2001 and the 22nd day of May, 2001, after due notice and hearing, ordered MARIA E. HARGROVE, record Owner of the hereinafter described property that the Building be demolished within thirty (30) days, and clean the premises of all weeds, trash, and debris all within thirty (30) days; and the Owner having failed after due notice to comply with such ORDER, any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to demolish the Building, and clean the premises of all weeds, trash and debris; and the mortgagees, lienholders and other persons having an interest in the property failed after due notice to comply with such ORDER, the Street Department of the City of El Paso to proceed to demolish the Building and clean the premises of all weeds, trash, and debris.

WHEREAS, the Deputy Director for Building Services Department has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council determines the actual cost of demolishing the Building and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lots 1 through 6, Block 74.B, Logan Heights, an addition to the city of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 12, Page 37, Plat Records of El Paso County, Texas more particularly described as 3725-3725 ½ Wickham Avenue,

to be \$3,893.67, performed by the Street Department of the City of El Paso, \$600.03 incurred by the City Attorney's Office and City Clerk's Office in providing notice, and obtaining title report, making a total of \$4,493.70. The City Council finds that the work was completed on the 12th day of June, 2001, and approves the costs.

2. That the City Council, in accordance with Section 18.52.040 of the El Paso City Code, declares the above total amount of FOUR THOUSAND FOUR HUNDRED NINETY-THREE AND 70/XX DOLLARS (\$4,493.70) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the abovedescribed property are made a part of this Resolution by reference.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign a Special Event Contract between the City of El Paso, on behalf of the Parks and Recreation Department, and the El Paso Central Business Association/ El Paso Downtown Management District authorizing the use of the San Jacinto Plaza on October 6, 2001, for the Texas Avenue Downtown Festival.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the City Council authorizes Parks & Recreation Department officials to utilize City Council Chambers on Wednesday, September 26, 2001 and on Wednesday December 19, 2001 from 11:30 to 1:00 p.m. to host City Hall Jam and City Hall Holiday Musical, both free admission events, and that the Mayor be authorized to sign two (2) volunteer artist performance agreements to provide live/pre-recorded musical entertainment for the events. This is at no cost to the City.

***RESOLUTION**

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN ASSIGNMENT OF THE GRANTEE'S RIGHTS AND DUTIES CREATED BY A CONTRACT FOR THE IMPROVEMENT AND MAINTENANCE OF STREET MEDIANS BETWEEN LOOP 375, L.P. AND THE CITY OF EL PASO.

WHEREAS, on June 11, 1996, the City of El Paso and Loop 375, L.P. entered into an Agreement by which Loop 375, L.P. agreed to landscape and maintain the medians within Ranchos Del Sol Subdivision Unit 4, El Paso, El Paso County, Texas; and

WHEREAS, Loop 375, L.P. desires to assign its rights and duties pursuant to the contract to Ranchos Del Sol Property Owners Association;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

The Mayor is hereby authorized to sign the contract assignment under the terms and conditions of June 11, 1996 Contract.

***RESOLUTION**

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN ASSIGNMENT OF THE GRANTEE'S RIGHTS AND DUTIES CREATED BY A CONTRACT FOR THE IMPROVEMENT AND MAINTENANCE OF STREET MEDIANS BETWEEN RANCHOS DEL SOL UNIT 5, L.P. AND THE CITY OF EL PASO.

WHEREAS, on September 7, 1999, the City of El Paso and Ranchos Del Sol Unit 5, L.P. entered into an Agreement by which Ranchos Del Sol Unit 5, L.P. agreed to landscape and maintain the medians within Ranchos Del Sol Subdivision Unit 5, El Paso, El Paso County, Texas; and

WHEREAS, Ranchos Del Sol Unit 5, L.P. desires to assign its rights and duties pursuant to the Contract to Ranchos Del Sol Property Owners Association;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

The Mayor is hereby authorized to sign the Contract Assignment under the terms and conditions of September 7, 1999 Contract.

***RESOLUTION**

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN ASSIGNMENT OF THE GRANTEE'S RIGHTS AND DUTIES CREATED BY A CONTRACT FOR THE IMPROVEMENT AND MAINTENANCE OF STREET MEDIANS BETWEEN UPPER VALLEY WILLOWS, INC. AND THE CITY OF EL PASO.

WHEREAS, on August 6, 1996, the City of El Paso and Upper Valley Willows, Inc. entered into an Agreement by which Upper Valley Willows, Inc. agreed to landscape and maintain the medians within Willow Bend Subdivision Unit 2, El Paso, El Paso County, Texas; and

WHEREAS, Upper Valley Willows, Inc. desires to assign its rights and duties pursuant to the contract to Willow Bend Subdivision Unit 2 Property Owners Association;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

The Mayor is hereby authorized to sign the contract assignment under the terms and conditions of August 6, 1996 Contract.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Undergraduate Intern Employment Contract between the **CITY OF EL PASO** and **MONICA HUERTA**, as an Undergraduate Intern for the Museum of Arts at the rate of \$7.25 per hour, up to 20 hours per week. The total amount of contract not to exceed \$4,350.00. The term of the contract is from September 19, 2001 through April 8, 2002.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Amendment to the "SAHARA ADDITION PHASE IV" agreement to provide Architectural Services to the Engineering Department of the City of El Paso, between the City and Faught & Associates, to reflect the name change of "Faught & Associates" to "Brock & Bustillos Inc."

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Amendment to the "SUNRIDGE PARK IMPROVEMENTS" agreement to provide Architectural Services to the Engineering Department of the City of El Paso, between the City and Faught & Associates, to reflect the name change of "Faught & Associates" to "Brock & Bustillos Inc."

*Motion made, seconded and unanimously carried that the street and drainage improvements in the following subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Subdivision: Sun Ridge Unit 10

Street Improvements:

Sun Country Drive - from the northerly limits of Sun Ridge Unit 8 to Station 18+9.21 (end of construction)

Charles R. Schulte Drive - from Sun Country Drive to Zaragosa Road

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*Motion made, seconded and unanimously carried that the street and drainage improvements in the following subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Subdivision: Stone Ridge Unit II, Phase I

Street Improvements:

Holstein Road - from the east property line of Stone Ridge Unit One to the east property line of Stone Ridge Unit Two
Scott Ray Way - from Lots 18 & 20, Block 2 to the end of cul-de-sac at Lots 21 & 22, Block 1
David Ray Way - from Holstein Road to the south property line of Lot 20, Block 2 and Lot 3, Block 5
Sally Ray Way - from Lots 3 & 4, Block 4 to the end of cul-de-sac at Lots 3 & 5, Block 5

Drainage Improvements:

40 ft. Drainage Easement - between Block 1, and Block 4; 500 ft. of Rockwall; and 220 ft. of 24.0" R.C.P.
Holstein Road - 472.5 ft. of 18.0" R.C.P.; and 3-Junction Box/48.0" Manhole
Scott Ray Way - 162 ft. of 18.0" R.C.P.; 1-1 Grate Drop Inlet Type II
David Ray Way - 250 ft. of 24.0" R.C.P.; and 1-Junction Box/48.0" Manhole
Sally Ray Way - 160 ft. of 18.0" R.C.P.; and 1-1 Grate Drop Inlet Type II

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*Motion made, seconded and unanimously carried to postpone one (1) week the request that the street and drainage improvements in the following subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Subdivision: I-10 Industrial Park Replat "A"
Owner/Developer: 1-10 Joint Venture
Consultant: Conde, Inc.

Street Improvements:

Burgundy Drive - from Betel Drive (220 ft. away) to Gateway East
Escobar Drive - from the southwest property line of Lot 1, Block 7 to the southeast property line of Lot 1, Block 11
Alza Drive - from Escobar Drive to Gateway East

Drainage Improvements:

Ponding Area - at Lot 7, Block 7; with a 5.36 ac. area and a 46.06 ac-ft capacity; 3 Thrust block structure; 520 ft. of Rockwall and 1530 ft. of Chain Link Fence; 95 ft. of 54.0" R.C.P. and 1-Junction Box with Grated Manhole; 50 ft. of 18.0" R.C.P. with 1-1 Grate Off Street Storm Drop Inlet; 65 ft. of 42.0" R.C.P. and 1-2 Grate off Street Storm Drop Inlet; and 32 ft. of 24.0" R.C.P.
20 ft. Drainage Easement R.O.W. - at Lot 6, Block 7; 1583 ft. of Rockwall Fence with 18 ft. Double Swing Gate; 792 ft. of 54.0" R.C.P. Type III; and 1-Junction Box/48.0" Manhole.

15 ft. Drainage Easement - at Lot 2, Block 7; 360 ft. of 48.0" R.C.P.
15 ft. Drainage Easement - between Lots 4 & 6, Block 9; 427 ft. of 48.0" R.C.P. & 1-Junction Box/48.0" Manhole; and 1-5 Grate off-Street Storm Drop Inlet
15 ft. Drainage Easement - at Lot 5, Block 10; 483 ft. of 42.0" R.C.P. with 1-Junction Box/48.0" Manhole & Junction Box/72.0" Manhole; and 1-7 Grate Off-Street Storm Drop Inlet.
Burgundy Drive - 98.04 ft. of 6.0' x 5.5' Concrete Box Culvert with 2-Headwall and Safety Grate; 2-6 Grate Drop Inlet Type I with 58 ft. of 30.0" R.C.P.
Escobar Drive - 1-5 Grate Drop Inlet Type I & 1 - 13 Grate Drop Inlet Type II; and 38 ft. of 36.0" R.C.P. with 2-Junction Box/48.0" Manhole
Alza Drive - 1-7 Grate Drop Inlet Type II; 120 ft. of 36.0" R.C.P.; 1-Junction Box/48.0" Manhole; 372 ft. of 8.0' x 4.0' & 345 ft. of 6.0' x 4.0' Concrete Box Culvert; 2-Junction Box/48.0" Manhole; 1-13 Grate Drop Inlet Type II; 2-16 Grate Drop Inlet Type II; and 184.12' x 14.04' concrete Channel with 18 ft. Double Vehicular Swing Gate.

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Motion made, seconded and unanimously carried to move to the regular agenda the request for approval for the Director of Purchasing to issue a Purchase Order to El Paso Central Appraisal District for appraisal service for fiscal year 2001/2002 in the amount of \$1,657,449.00 estimated. Contract No. 109095. Award amount is \$1,657,449.00.

Representative Sumrall questioned the duties of the Central Appraisal District and wondered if the appraisals were done in a fair manner. She asked if someone from the City would speak to the Central Appraisal District and verify that the appraisals were done accurately.

Mr. Charlie McNabb, Chief Administrative Officer, stated that the City could speak with the Central Appraisal District and ask that they re-look at certain areas. He explained that the Central Appraisal District does take different approaches to appraisals.

Representative Medina suggested that the item be placed on the City Council Agenda for next week and that representatives from the Central Appraisal District be present to answer questions. He suggested that the item be placed on the Central Appraisal District's Board meeting as well.

Representative Sariñana stated that the item could be postponed until next week.

Representative Cobos stated that homeowners are paying the brunt of the tax base and it's time to restructure the methodologies used for the appraisals of buildings and vacant land.

Mayor Raymond C. Caballero stated that many remarks have been made regarding the Central Appraisal District's method of appraisals. He commented that the current appraisal method is skewed and that some individuals are not paying the appropriate amount of taxes. He asked Mr. Juan Sandoval, Tax Assessor Collector, if Council does not make a decision today regarding this item would the City be in violation regarding not paying the debt and questioned the issue regarding collections.

Mr. Sandoval suggested that Council Members not link the approval of the Purchase Order with the other issues relating to the appraisals. He explained that the City does need to make the first quarterly payment at the end of this month. If the City does not make this payment there would be a 5% penalty added.

Mr. McNabb explained to Council Members that this item is a statutory formula that taxing entities are required to fund the Appraisal District. Under the statute all taxing entities are required to make annual payments, in quarterly increments. He suggested that the collection and method of appraisals issues be addressed at a future City Council meeting.

Representative Power stated that he was not in favor of paying this Purchase Order. He asked Mr. McNabb if the City does pay the Purchase Order would it preclude the City from going back and having re-evaluations done or would the City have to pay the Central Appraisal District again for the re-evaluation. He stated that the appraisals were initially done utilizing the market approach as opposed to the income approach.

Mr. McNabb stated that the City does have to pay the Central Appraisal District according to the formula as stated in the statute and if the City does not pay them accordingly a penalty would be added. The City does not have control over the Appraisal District; however, the City can speak with them regarding undervalued properties. The City would not have to pay the District if they did a re-appraisal because it would be the Central Appraisal District's choice to do this. The City is required to pay its portion of the annual operating costs.

Mayor Caballero asked that the item be postponed.

Representative Sumrall questioned whether the fees associated with the overall appraisal are a part of the percentage of the appraisals.

Mr. Sandoval stated no and explained that the fees are pro-rated and are based upon the pro-rated share of the overall levy.

Mayor Caballero asked Mr. Sandoval to address the issue of collection of taxes. He explained that the Appraisal District conducts the appraisals and that the City of El Paso collects the taxes. He asked Mr. Sandoval to address the issue of collecting property taxes.

Mr. Sandoval stated that the City has collected \$475 million dollars in property taxes this past year. Granted there is a substantial amount of delinquent taxes yet to be collected. He added that every year there is approximately 3% of the taxes which enter the delinquency field. The delinquent taxes are turned over to the law firm of Delgado, Acosta et. al. who are tasked with the responsibility of collecting those delinquent taxes.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to delete approval for the Director of Purchasing to issue a Purchase Order to El Paso Central Appraisal District for appraisal service for fiscal year 2001/2002 in the amount of \$1,657,449.00 estimated. Contract No. 1090 95. Award amount is \$1,657,449.00.

*Motion made, seconded and unanimously carried that the City of El Paso accept the tested and approved fire hydrants listed below, to provide adequate fire protection to existing and new areas:

	HYD #	LOCATION
A.	281	Gateway North Blvd., 484' northeast of Kenworthy Drive
B.	7855	Alba Lane & Montana Avenue, southeast corner
C.	7887	Helen of Troy Drive & Resler Drive, northwest corner
D.	7896	Joe Battle Blvd., 645' south of Bob Hope Drive
E.	7897	Joe Battle Blvd., 1305' south of Bob Hope Drive
F.	7905	Lacebark Elm Drive & Sweet Acacia Lane, northwest corner
G.	7921	Bur Oak Circle & Stone Pine Lane, SE corner
H.	7922	Bur Oak Circle, 150' south of Stone Pine Lane, northwest corner
I.	7923	Lead Tree Place, 170' south of Betel Drive
J.	8027	Calle Flor Place & Calle Vista Drive, southeast corner
K.	8051	Riane Chantee, 57' E. of Amber Morgan Drive

- L. 8052 Amber Morgan Drive 130' N. of Kyle Wendelin Lane
- M. 8053 Kira Christel Lane 415' E. of Amber Morgan Drive
- N. 8056 Owl Creek Place & Kings Bridge Drive, northeast corner
- O. 8057 Northampton Street & Rhine Bridge Drive, southwest corner
- P. 8068 Inglewood Drive, 300' south of Newell Hays Street
- Q. 8069 Nevarez Road, 50' south of Inglewood
- R. 8070 Nevarez Road, 810' south of Inglewood
- S. 8071 Nevarez Road, 1500' south of Inglewood
- T. 8072 Ted Houghton Drive and Kit Carson Drive
- U. 8081 Copper Gate Place & Ruby Gate Way, southeast corner
- V. 8082 Opal Gate Way, 168' west of Copper Gate Place
- W. 8083 Holstein Drive & Wild Ridge Way, northeast corner
- X. 8084 Holstein Drive & Jettie Ray Way, northeast corner
- Y. 8085 Loma Taurina Drive & Loma del Norte Drive
- Z. 8086 Loma Taurina Drive, 154' east of John B. Oblinger Drive
- AA. 8087 John B. Oblinger Drive, 455' west of Loma del Norte Drive
- BB. 8088 Rancho Grande Drive, 420' east of Kit Carson Drive
- CC. 8090 Amber Morgan Drive, 57' north of Dragon Fly Court
- DD. 8091 Amber Morgan Drive, 145' north of Folklore Court
- EE. 8092 Amber Morgan Drive & Morgan Marie Street, northwest corner
- FF. 8101 Escobar Drive, 560' west of Burgundy Drive
- GG. 8105 Crimson Cloud Lane, 460' southwest of Copper Cloud Circle
- HH. 8109 Morgan Marie Street, 735' south of Amber Morgan Drive
- II. 8110 John Phelan Drive & Thunder Bolt Court, southeast corner
- JJ. 8111 Angel Wings Court, 70' east of John Phelan Drive
- KK. 8112 John Phelan Drive, 158' south of Blackberry Court
- LL. 8113 Vikki Carr Lane, 475' south of James Cravens Court
- MM. 8120 Joe Battle Blvd., 725' north of Rojas Drive
- NN. 8121 Joe Battle Blvd., 1550' north of Rojas Drive
- OO. 8122 Joe Battle Blvd., 2213' north of Rojas Drive
- PP. 8124 Joe Battle Blvd., 1878' south of Bob Hope Drive
- QQ. 8131 Medano Drive, 320' west of Quinault Drive
- RR. 8133 Zaragosa/George Dieter, 256' south of Esther Lama
- SS. 8145 Gilded Sun Drive, 736' west of Crystal Ridge Street
- TT. 8146 Gilded Sun Drive & Crystal Ridge, northwest corner
- UU. 8147 Sun Fire Blvd., 773' north of Sun Terrace Avenue
- VV. 8149 Setting Sun Drive, 98' east of Sun Fire Blvd.
- WW. 8150 Setting Sun Drive, 240' west of Sun Quest Street
- XX. 8151 Setting Sun Drive, 375' west of Crystal Ridge Street
- YY. 8152 Joe Battle (Loop 375), 853' north of Vista del Sol Drive

.....

*Motion made, seconded and unanimously carried to approve the following provisional appointment(s) in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

- A. Engineering Technician III (1)
- B. Toll Collector (1)

.....

*Motion made, seconded and unanimously carried to appoint Ruben Ponce, Jr. to the City Plan Commission by Representative Escobar.

.....

*Motion made, seconded and unanimously carried to appoint Lois Balin to the El Paso Mountain Committee by Representative Cobos.

*Motion made, seconded and unanimously carried to appoint Felipe J. Luna as Alternate to the Zoning Board of Adjustment by Representative Cobos.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That Lina Ortega be appointed to the Housing Finance Corporation for a six year term to expire September of 2007.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That Robert Ash be appointed to the Housing Finance Corporation for a six year term to expire September of 2007.

*Motion made, seconded and unanimously carried to approve installation, power, and maintenance of residential street light(s) at the following location(s):

A. Between 601 and 609 Ramsgate Rd., cost \$899.00.

B. Between 458 and 432 Butchofsky Pl., cost \$1,398.00.

Motion made, seconded and unanimously carried to move to the regular agenda Bid No. 2001-186 Airport Janitorial Supplies

Mr. Byron Johnson, Director of Purchasing, explained that there were tie bids associated with one item contained in the bid and that the provisions of the City Code states a drawing of lots is required. At this time the Mayor drew the name "Southwest Mill Distributing, Inc." and Representative Power drew the name "Baron Chemical Company, Inc." He asked that the agenda item be amended to award Item 27 to Southwest Mills Distributing, Inc.

Motion made by Representative Escobar, seconded by Representative Sumrall and unanimously carried to award Bid No.: 2001-186 Airport Janitorial Supplies

Award to:	Vendor 1:	Baron Chemical Company, Inc. El Paso, TX
Item:	Group I:	Item 2, 3, 9, 16, 17, 37, 41, 52, and 65
	Group II:	Item 66, 67, 68, 69
Amount:	\$13,249.24	(Estimated annually)

Award to:	Vendor 2:	Briggs-Weaver El Paso, TX
Item:	Group I:	Item 28
Amount:	\$60.00	(Estimated annually)

Award to:	Vendor 3:	D. Gilmore Distributing Company, Inc. El Paso, TX
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Item:	Group I:	Item 6, 7, 8, 10, 20, 32, 44, 56
Amount:	\$4,679.64	(Estimated annually)
Award to: Vendor 4: Grainger, Inc. El Paso, TX		
Item:	Group I:	Item 43 and 53
Amount:	\$5,085.60	(Estimated annually)
Award to: Vendor 5: HB/PZH Commercial Environments, Inc. El Paso, TX		
Item:	Group III:	Item 70, 71, 72, 73, 74
Amount:	\$35,739.52	(Estimated annually)
Award to: Vendor 6: Regal Supply & Chemical El Paso, TX		
Item:	Group I:	Item 13, 15, 19, 21, 40, 48, 50, 57
Amount:	\$6,640.62	(Estimated annually)
Award to: Vendor 7: Southwestern Mill Distributing, Inc. El Paso, TX		
Item:	Group I:	Item 1, 4, 12, 22, 23, 24, 25, 26, 27, 29, 33, 34, 35, 36, 38, 39, 42, 49, 51, 58 and 64
Amount:	\$19,121.14	(Estimated annually)
Award to: Vendor 8: Unisource El Paso, TX		
Item:	Group I:	Item 5, 11, 14, 18, 54, 55
Amount:	\$6,692.00	(Estimated annually)
Department:	Department of Aviation	
Funds available:	620003-203121	
Funding source:	Inventory Purchases-Materials & Supplies	
Total amount:	\$91,267.66	(Estimated annually)

The Department of Aviation and the Purchasing Department recommend award as indicated to the lowest responsive offers, by definition meeting specifications, from responsible parties.

Due to compatibility requirements, the following items need to be awarded as groups: Floor Care Products group - Items 66-69; and Carpet Care Products group - Items 70-74. All products, within each group, must be from the same manufacturer to insure total compatibility between the products with no possibility of an adverse chemical reaction occurring and for best overall results.

On Item 27, offers were received from Baron Chemical Company, Inc. and from Southwestern Mill Distributing, Inc.; both are tie bids. Lots were drawn and Southwestern Mill Distributing, Inc. had the winning lot drawn. The Department of Aviation and the Purchasing Department request the City Council draw lots on these offers to determine award.

Envirox LLC was non-responsive due to a lack of an original signature binding the offeror, and therefore is non-responsive on their overall bid. Additionally, the Department of Aviation and the Purchasing Department recommend rejection of the bids for Group I - Item 30, 45, 46, 47, 59, 60, 61, 62 and 63, and Group IV - Item 75 and 76. These items will be rebid, with revised specifications, as requested by the Department of Aviation.

This is a thirty-six (36) month requirements-type Contract for Janitorial Supplies for the El Paso International Airport, however, this Contract may be utilized by other City departments, to meet their requirements as the need arises. The Contract will officially begin at 12:01 a.m., September 19, 2001.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2001-213 Street Sweepers

Award to: STM Equipment
Arlington, TX
Item: 1
Options: 5 Year Extended Warranty on:
Sweeper and Tank - \$9,630.00 each
Basic Vehicle - \$2,495.00 each
Engine - \$995.00 each
Drivetrain - \$1,500.00 each
Auxiliary Engine - \$1,950.00 each
Amount: \$454,695.00
\$ 45,000.00 Less Trade-In Amount
\$409,695.00

Award to: Tennant Sales and Service Company
Minneapolis, MN
Item: 2
Options: O1
Amount: \$233,978.74

Department: Street
Funds available: 250101-208029-MB0001-130 (\$625,000.00)
250201-208029-MB0002-130 (\$63,673.74)
Funding source: FY2000 Certificates of Obligation
FY2001 Certificates of Obligation
Total amount: \$688,673.74

The Street, Equipment Maintenance and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties. Lower bids were received but did not meet specifications as detailed in the backup.

This is a fixed-price, single (one-time) purchase, to purchase three (3) 4 Yard Street Sweepers and two (2) 3 Yard Street Sweepers. Both vendors offer an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within ninety (90) days from the date of award of the contract. STM offers a discount of ½% if payment is made in 10 days. Tennant does not offer a prompt payment discount.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2001-222 Janitorial Services for the Fire Maintenance Shop Communications, & Fire Marshall's Office

Award to: Care Free Janitorial Services
El Paso, TX
Item: 1 and 2
Amount: \$16,965.12 (Estimated annually)
Department: Public Works - Maintenance Division

Funds available:	31010327-502206
Funding source:	Public Works-Building Maintenance-Fire Facilities
Total amount:	\$16,965.12

The Public Works - Maintenance Division and the Purchasing Departments recommend award as indicated. Care Free Janitorial Services is the low, responsive, and responsible bidder meeting specifications.

This is a thirty-six (36) month service-type Contract for Janitorial Services for the Fire Maintenance Shop, Communications, & Fire Marshall's Office with no options to extend the Contract; but may be placed on a month-to-month basis, if necessary, not to exceed six (6) months, pending the bidding and formal award of a new Contract.

The Contract will officially begin at 12:01 a.m., October 1, 2001. No prompt payment discount is offered.

*Motion made, seconded and unanimously carried to award Bid No. 2001-274 .40 Caliber Ammunition

Award to: C & G Wholesale
Dallas, TX

Item:	1
Amount:	\$28,440.00

Award to: The Hunting Shack, Inc.
Stevensville, MT

Item: 2
Amount: \$3,589.20

Department: Police
Funds available: 010062-203109
Funding source: General Funds, Ammunition Supplies
Total amount: \$32,029.20

This is a twelve (12) month requirements contract. In addition, the bidders offer the option to purchase 100% of the original quantities, at the same unit prices for one (1) additional year.

*Motion made, seconded and unanimously carried to award Bid No. 2001-280 Projectors & Accessories

Award to: Projection Direct
Poulsba, WA

Item: 1
Amount: \$12,094.00

Award to: B&H Photo Video Pro-Audio
New York, NY

Item: 2
Amount: \$2,472.00

Award to: Troxell Communications, Inc.
Albuquerque, NM

Item:	3 & Options A, B, C
Amount:	\$6,171.00

Award to: Southern Business Communications

Norcross, GA
 Item: 4 & Options D
 Amount: \$3,422.10

Department: Fire
 Funds available: 150024-203123
 Funding source: Grants, Special Revenue - Safety Equipment
 Total amount: \$24,159.10

Fire Department and Purchasing recommend award as indicated as this vendor's are the responsible and responsive bidders meeting specifications.

This is a one time purchase.

Low bid on item #2 Office Depot does not meet specifications, this is not a conceal in the ceiling screen. On item #3, Fowler Productions, Inc. and CCS Presentations Systems do not meet specifications.

.....
 *Motion made, seconded and unanimously carried to award Bid No. 2001-283 Barricade Rental Service

Award to: Apache Barricade & Sign
 El Paso, TX

Item: 1 - 53, All
 Amount: \$80,000.00 (Estimated annually)

Department: Street
 Funds available: 32010200-502411
 Funding source: General Fund
 Total amount: \$80,000.00

The Street and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

The Vendor offer the City the option to extend the term of the contract at the same unit prices for two (2) additional years, if the option is exercised within two (2) years from the date of the award.

The Vendor also offers the City a prompt payment discount of 3% 10 days.

This is a Requirements Type Contract with an initial term of Thirty Six (36) months.

.....
 *Motion made, seconded and unanimously carried to award Bid No. 2001-286 Thirst Quencher Fluid Replenishment Beverage

Award to: Gold Label, Inc.
 Addison, TX

Item: 1
 Amount: \$65,640.00 (Estimated annually)

Department: Solid Waste Management
 Funds available: 34010291-502215
 Funding source: General
 Total amount: \$65,640.00

The Solid Waste Management and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

The vendor offers the City the option to extend the term of the contract at the same unit prices for two additional years, if the option is exercised within two years from the date of the award.

The vendor also offers the City a prompt payment discount of 3% 10 days.

This is a Requirements Type Contract with an initial term of Twenty Four months.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2001-294 Aviation Fuel

Award to: Cutter Aviation El Paso, Inc.
El Paso, TX
Item: 1 & 2
Amount: \$23,162.75 (Estimated)

Department: Police
Funds available: 150060-500233
Project: 203009
Funding source: Confiscated Funds
Total amount: \$23,162.75

This is a twenty-four (24) month agreement with the bidder offering the option to extend the term of the contract for two (2) additional years from date of award.

.....
Motion made, seconded and unanimously carried to move to the Regular Agenda Bid No. 2001-230 El Paso Fire Department Engine Exhaust Removal System

Mr. Duncan, representing Air Cleaning Technologies, stated that his company submitted the lowest responsive and responsible bid for this bid item. He discussed the bid specifications and noted the deficiencies of RDS Metal Fabricators, Inc.

Representative Sariñana questioned why Mr. Duncan was coming forward today with his complaints.

Mr. Duncan responded that he had tried to discuss his concerns with someone in the Department of Purchasing but was told that his company was not the low bidder and he was not allowed to discuss his concerns with anyone.

Representative Sariñana asked Mr. Byron Johnson, Director of Purchasing, to elaborate.

Mr. Johnson explained that the bid was carefully scrutinized; however, he did not have anything in writing to verify Mr. Duncan's concerns. At various different points during the bid he had received information stating that the low bidder did not meet specifications. He explained the bid process to Council Members and stated that the Fire Department, Engineering Department and an architect looked at this bid. He stated that in the bid language a provision states that the bidders must have the proper qualifications; however, there is no mention that the bidders cannot subcontract to a company that does meet the qualifications.

Mr. Charlie McNabb, Chief Administrative Officer, asked that the item be postponed for one week.

Representative Escobar asked Mr. Johnson that due to the system being so new would the City have problems in the future maintaining it.

Mr. Johnson stated he would provide documents for Representative Escobar to review.

Motion made by Representative Cook, seconded by Representative Cobos and unanimously carried to postpone one (1) week Bid No. 2001-230 El Paso Fire Department Engine Exhaust Removal System

Award to: RDS Metal Fabricators, Inc.
Garland, TX

Department: Fire
Funds available: 04250101-PMB0001130-508008 and 04250201-PMB0002130-508008
Funding source: Capital - City Equipment NOC
Base Bid: \$92,793.00
Total Award: \$92,793.00

RECOMMENDATION:

The Purchasing Department recommends the award of this contract to RDS Metal Fabricators, Inc., the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

Lump Sum Component

As part of the award of this contract, the Director of Public Works is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

DESCRIPTION OR EXPLANATION:

Base Bid: \$92,793.00
Total Recommended Award: \$92,793.00

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2002-0002 PUBLIC WORKS as revised. The following language was added:

Public Works proposes to transfer \$11,765 within the Parks Facilities-2000 Election Program to fund design for Hidden Valley Park and Lomaland Park. Funding source is Parks Facilities-2000 Election-CP.

Decrease	\$11,765	from	31130500/PPW0046010/508050	A/E
Increase	\$11,765	to	31130500/PPW0046010/507001	Intrafund Transfer
Increase	\$4,825	to	31130500/PPW0046003/508050	A/E
Increase	\$4,825	to	31130500/PPW0046003/407001	Intrafund Transfer
Increase	\$6,940	to	31130500/PPW0046014/508050	A/E
Increase	\$6,940	to	31130500/PPW0046014/407001	Intrafund Transfer

.....

*Motion made, seconded and unanimously carried to approve budget transfer BT2002-0003 PUBLIC WORKS as revised. The following language was added:

Public Works proposes to appropriate \$280,000 for design and construction for Geronimo-Edgemere Concrete Intersections Improvement. Funding source is FY00 Sale of CO'S.

Increase	\$13,000	to	31250102/PPW0028010/508050	A/E
Increase	\$2,000	to	31250102/PPW0028010/508051	Program Mgmt.
Increase	\$250,000	to	31250102/PPW0028010/508027	Construction
Increase	\$6,000	to	31250102/PPW0028010/508026	Inspection
Increase	\$7,000	to	31250102/PPW0028010/508024	Testing
Increase	\$2,000	to	31250102/PPW0028010/508022	City Admin.
Increase	\$280,000	to	31250102/PPW0028010/407001	Intrafund Transfer
Increase	\$280,000	to	31250102/PPW0028001/507001	Intrafund Transfer
Decrease	\$280,000	from	31250102/PPW0028001/508027	Construction

.....
 *Motion made, seconded and unanimously carried to approve the following Building Services - refunds:

- A. Food Establishment permit refund to Maria Villalva in the amount of \$30.00.
- B. Vendor license refund to Georgina Garcia in the amount of \$55.00.

.....
 *Motion made, seconded and unanimously carried to approve the **AMENDED APPLICATION:**
 Riverside High School Student Council to hold a homecoming parade on September 20, 2001 from 6:00 p.m. to 7:00 p.m. Route: Start at Midway-Knights intersection, proceed on Knights, Jersey, Bernadine, Knights and end in the R.H.S. stadium parking lot. Approximately 200 persons and 20 vehicles will take part and 1,000 spectators are anticipated. PERMIT NO. 01-112.

.....
 *Motion made, seconded and unanimously carried to approve the request of El Maida Shrine Temple to hold a circus parade on September 28, 2001 from 2:00 p.m. to 4:00 p.m. Route: Start at Park and Overland, west on Overland to El Paso, north to Mills, east on Mills to Mesa, south to San Antonio, east to Park, disband. Approximately 75 persons, 15 vehicles, 10 animals and 8 motorcycles will take part and 200 spectators are anticipated. PERMIT NO. 01-106

.....
 *Motion made, seconded and unanimously carried to approve the request of Coronado High School to hold a homecoming parade on October 19, 2001 from 6:00 p.m. to 6:45 p.m. Route: Start at Cloudview, proceed to Northwind to Dawn, turn on Mariposa to El Puente, turn on Mesa Grande to Dawn, turn on Paseo Redondo to El Puente, proceed to Cloudview, end at Cloudview. Approximately 300 persons, 10 vehicles, 3 animals and 6 flatbed trucks (floats) will take part and 150 spectators are anticipated. PERMIT NO. 01-110

.....
 *Motion made, seconded and unanimously carried to approve the request of Abundant Living Faith Center to use amplification (3 microphones - 100 amps) at Armijo Park on September 29, 2001 from 7:00 a.m. to 1:00 p.m. Approximately 8 persons will use amplification and 1,500 spectators are anticipated. PERMIT NO. 01-114

NOTE: Motion was revised to read "7:00 a.m. to 1:00 p.m." instead of "7:00 p.m. to 1:00 p.m."

.....
 *Motion made, seconded and unanimously carried to approve the request of Bach Way/Michelangelo Neighborhood Watch to block off the 12000 block of Bach Way on October 6, 2001 from 6:00 p.m. to 12:00 p.m. for a block party. Approximately 80 persons will take part. This request includes permission to use amplification (speaker - 800 watts). Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". PERMIT NO. 01-119

.....
 *Motion made, seconded and unanimously carried to approve the request of Parkland High School to hold a homecoming parade on September 20, 2001 from 6:00 p.m. to 7:00 p.m. Route: Bomarc to Nova, right on Ballistic to Agena, to Regulus, to Minutemen, to Nova, then back to Bomarc. Approximately 50 persons and 30 vehicles will take part and 150 spectators are anticipated. PERMIT NO. 01-113

Public Hearing was held on a proposal to increase total tax revenues from properties on the tax roll by 11.79 percent.

Mayor Raymond C. Caballero stated that he would allow the eight citizens who had wished to speak on this item a limit of two minutes to speak.

Representative Sumrall made comments regarding the tax rollback petitions which had been filed in the City Clerk's office. She asked that Council Members look at how the whole process regarding how the signatures were collected.

Ms. Rita Rodriguez, First Assistant City Attorney, reminded Council Members that the item to discuss the signatures was not listed on the Agenda and therefore could not be discussed.

Ms. Mary Frances Keisling, citizen, stated that she does not want her property taxes raised. She urged Council Members not to raise property taxes but to find new funding resources for City projects.

Mr. Carlos Correa, citizen, asked whether Council Members had considered freezing the taxes of senior citizens.

Mayor Caballero addressed Mr. Correa's question. He stated that many people have moved out of the central part of the City and moved towards the periphery of the City. When this happens the property values of the homes in the central part of the City decrease and that the homes built on the periphery of the City have no infrastructure, which is stressing the two tax bases.

Mr. Charlie McNabb, Chief Administrative Officer, pointed out that under the Property Tax Code the City cannot create its own exception, it must come from the State. The State has created the exception for school districts which means that school districts are allowed to freeze the taxes for individuals 65 and older.

Representative Sumrall thanked Mr. Correa for appearing today. She stated that the reason the school districts freeze the taxes for senior citizens is because they do not have children in the schools. She stated that the Central Appraisal District offers a program for the senior citizens whereas they can defer their taxes until their death. The taxes are then paid through the estate.

Ms. Esther Perez, citizen, thanked Representative Cook for his diligent efforts in representing the constituents living in the Northeast. She read from a prepared statement and exclaimed that the City should adopt the budget and give the Fire and Police Departments their long overdue contracts.

Mr. Jaime Perez, citizen, stated that he would not like the City Council to raise the taxes and asked that the City Council respect the tax rollback petition, respect the role of senior citizens, respect the 4,000 signatures submitted on the tax rollback petition and respect the will of the people that the tax increase be voted on.

Mr. Dwight Goodwin, citizen, stated that he is greatly in favor of the tax increase although he is retired and lives on a fixed income. He then discussed the tax base from previous years. He noted that this new budget would be saving the City millions of dollars in the future.

Mayor Caballero commented on future budget projections.

Ms. Lisa Turner, citizen, stated that she is in support of the tax increase and asked that individuals not supporting the tax increase remember the Police and Fire Officers who are never paid enough for the job that they do. She asked Mr. Perez why he did not attend the Budget Hearing meetings.

Representative Medina also wondered why the individuals who are in opposition to the tax increase did not attend the Budget Hearing meetings. He commended Channel 4 and Channel 26 for their efforts in pleading with the citizens of El Paso that they attend the Budget Hearing meetings.

Representative Cobos stated that many individuals were at their jobs during the Budget Hearing meetings and may not have had the opportunity to attend these meetings.

Ms. Teresa Caballero, citizen, stated that she wanted the Council Members to ask the citizens what they think. She stated that she was absent from her job this morning to come to the Council meeting to express her thoughts. She asked that the Mayor allow the taxpayers to vote on the tax increase. She asked Council Members to pursue the individuals who are delinquent in paying their property taxes. She would like to see only property owners vote on the tax increase and not individuals living in housing projects.

Representative Sumrall addressed comments made by Ms. Caballero. She stated that the item on the Agenda is very important and she stands behind the Mayor. She appreciated all the individuals who came forward this morning to express their opinions.

Mayor Caballero stated that El Paso taxpayers are overburdened and the reason for this is that the City is not achieving appropriate school tax equity. We do not receive the appropriate taxes to support our schools from the State of Texas.

Representative Cook stated that the Mayor attended several public hearings held in the Northeast section of the City. When asked the question regarding raising the taxes the Mayor commented that he had not seen the budget yet, how would he know.

Mrs. Patricia Palafox, citizen, named individuals who had come to the Council meeting this morning in favor of the budget. These individuals were: Jennie Van Cleef, Dr. Thomas McKabe Jr., Steve Best, and Michelle Brown. Mrs. Palafox is the Chairwoman of the City/County Animal Shelter Advisory Committee. She was happy to see the addition of the 11 individuals to the Health Department in the area of animal control.

Representative Power stated that this is a serious topic and it is the right of the people to recall or push forward with a referendum, if that is their decision.

Mr. Stu Evans, citizen, commended Representative Power on his comments. He stated that he has collected signatures for the petition and considers them valid. He pointed out individuals have been leaving El Paso because of the increase in property taxes.

Representative Cobos explained that Council is raising taxes to protect the City's bond rating and that the City has a fund balance of \$12 million dollars which is necessary for the bond companies to realize the financial stability of the City. He commented on the Certificates of Obligations to be voted on in November.

Mr. Bill Chapman, Chief Financial Officer, addressed the Certificate of Obligations which Representative Cobos referred to.

Mr. McNabb remarked that Council Members should close the Public Hearing and announce when the vote on the tax increase would be.

Mayor Caballero stated that the levy for the taxes would be voted on 25th of September, 2001.

Motion made by Representative Sumrall, seconded by Representative Cook and unanimously carried to close the Public Hearing on a proposal to increase total tax revenues from properties on the tax roll by 11.79 percent.

.....
*Motion made, seconded and unanimously carried to delete an Ordinance changing the zoning of a portion of Tracts 15, 16, 17A & 17B, Block 79, Section 32, Township 2, TEXAS & PACIFIC RAILROAD COMPANY SURVEYS, El Paso, El Paso County, Texas (South of Montana Avenue and West of Joe Battle Boulevard) from PR-2/C (Planned Residential/Conditions) to RMH/C (Residential Mobile Home/Conditions). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Tropicana Homes, Inc. / Representative: Moreno Cardenas, Inc., 2505 E. Missouri, El Paso, TX 79903. ZC-01039
.....

ORDINANCE 14940

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE LEASE OF THE WELLINGTON CHEW SENIOR CITIZEN CENTER TO THE WELLINGTON CHEW SENIOR ADVISORY COMMITTEE, INC. TO CONDUCT BINGO FOR THE BENEFIT OF SENIOR CITIZENS.**

Motion duly made by Representative Rodriguez, seconded by Representative Cook that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 14941

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE LEASE OF THE WASHINGTON PARK SENIOR CITIZEN CENTER TO THE WASHINGTON PARK SENIOR ADVISORY COMMITTEE, INC. TO CONDUCT BINGO FOR THE BENEFIT OF SENIOR CITIZENS.**

Motion duly made by Representative Sariñana, seconded by Representative Escobar that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 14942

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE NO. 014836, WHICH FORMALLY ESTABLISHED THE DEVELOPMENT COORDINATING COMMITTEE (DCC), TO ADD THE COUNTY OF EL PASO AS EX-OFFICIO/NONVOTING MEMBER AND ADD THE EL PASO POLICE DEPARTMENT AS A REGULAR MEMBER TO ITS MEMBERSHIP, AND REVISE THE QUORUM REQUIREMENT ACCORDINGLY.**

Motion duly made by Representative Power, seconded by Representative Escobar that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

Representatives Escobar and Sariñana were not present for the vote.

.....
ORDINANCE 14944

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE CITY CODE OF EL PASO TO AMEND CHAPTERS 2.06.010 COMMITTEE ESTABLISHED—MEMBERSHIP AND 2.06.20 TERMS, RELATING TO THE BOND OVERVIEW ADVISORY COMMITTEE (BOAC) TO DELETE THE AD HOC BOND COMMITTEE MEMBER FROM THE BOAC; AND, TO PROVIDE A ONE YEAR EXTENSION BE GRANTED TO ANY BOAC MEMBER APPOINTED FROM A SUBORDINATE BOARD WHOSE TERM HAS EXPIRED ON THAT BOARD.**

Representative Sumrall asked if the Ad Hoc Bond Committee was holding meetings or has since dissolved.

Mr. Ed Drusina, Director of Public Works, stated that the Ad Hoc Bond Committee has not met since the Bond Election and therefore the Ordinance is being amended to delete the Ad Hoc Bond Committee member.

Motion duly made by Representative Sumrall, seconded by Representative Power that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

Representative Sariñana was not present for the vote.

.....
RESOLUTION APPROVING DETAILED SITE DEVELOPMENT PLAN NO. DP-01016, FOR A 1.003 ACRE PORTION OF LOT 1, BLOCK 1, TREVISTA SOL SUBDIVISION, EL PASO, EL PASO COUNTY, TEXAS (11165 LA-QUINTA PLACE), PURSUANT TO A CONTRACT CONDITION AS PART OF ORDINANCE NO. 7054, THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, **Eugene D. Stevenson, Jr., DDS and Rosa R. Stevenson** (the "Applicants") have applied for approval of a detailed site development plan pursuant to a condition in the contract entered into on 02 December 1980, and as amended on 12 August 1986, as part of the rezoning of the property by Ordinance No. 7054, to permit the construction and development of a dental office; and

WHEREAS, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject detailed site development plan; and

WHEREAS, the subject detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. Pursuant to Section 20.04.150 of the El Paso Municipal Code, the City Council hereby approves the detailed site development plan submitted by the Applicants, to permit the construction and development of a dental office on the following described property which is located in an **S-D/sc (Special Development/special contract) District**:

*A 1.003 acre portion of Lot 1, Block 1, TREVISTA SOL SUBDIVISION, El Paso, El Paso County, Texas, as more particularly described by metes and bounds in the attached and incorporated Exhibit "A"; and municipally known and numbered as **11165 La Quinta Place**.*

A copy of the approved detailed site development plan, signed by the Applicants, the Mayor and the Secretary of the City Plan Commission, is attached hereto as Exhibit "B" and incorporated herein by reference.

2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the **S-D/sc (Special Development/special contract) District** regulations.

3. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the **S-D/sc (Special Development/special contract) District** regulations. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

4. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

Representative Sariñana asked that the item be postponed for one week and that a meeting be scheduled for next Monday following the Legislative Review meeting. He withdrew his Motion to postpone and subsequently moved to approve, seconded by Representative Cook.

Ms. Cindy Cellum, Assistant City Attorney, stated that the application could be approved today.

Ms. Patricia Adauto, Director of Planning, explained that the Site Development Plan application process and how the process applies to this application.

Ms. Rose Stevenson, part owner of the property, expressed her concerns regarding the special conditions on this property.

Mayor Raymond C. Caballero asked how to resolve this issue expeditiously.

Mr. Charlie McNabb, Chief Administrative Officer, stated that the Detailed Site Development Plan could be approved today but this would not get the property owners the Certificate of Occupancy.

Motion made by Representative Sariñana, seconded by Representative Cook and unanimously carried to approve the above Resolution.

.....
RESOLUTION APPROVING DETAILED SITE DEVELOPMENT PLAN NO. DP-01017, FOR ALL OF LOT 7, BLOCK 9, I-10 INDUSTRIAL PARK REPLAT A, EL PASO, EL PASO COUNTY, TEXAS (1100 BLOCK OF BURGUNDY DRIVE), PURSUANT TO A CONTRACT CONDITION IMPOSED BY ORDINANCE NO. 5643, THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, **Mark Tomlin** (the "Applicant") has applied for approval of a detailed site development plan pursuant to a rezoning condition imposed by Ordinance No. 5643 on 20 November 1975, to permit the construction and development of a service/office building; and

WHEREAS, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject detailed site development plan; and

WHEREAS, the subject detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. Pursuant to Section 20.04.150 of the El Paso Municipal Code, the City Council hereby approves the detailed site development plan submitted by the Applicant, to permit the construction and development of a service/office building on the following described property which is located in a **C-4/sc (Commercial/special contract) District**:

*All of Lot 7, Block 9, I-10 INDUSTRIAL PARK REPLAT A, El Paso, El Paso County, Texas;
and municipally known as the **1100 Block of Burgundy Drive**.*

A copy of the approved detailed site development plan signed by the Applicant, the Mayor and the Secretary of the City Plan Commission, is attached hereto as Exhibit "A" and incorporated herein by reference.

2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the **C-4/sc (Commercial/special contract) District** regulations.

3. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the **C-4/sc (Commercial/special contract) District** regulations. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

4. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

Representative Escobar questioned whether there was any opposition to this Detailed Site Development Plan.

Ms. Patricia Adatao, Director of Planning, stated that there was no opposition.

Motion made by Representative Escobar, seconded by Representative Cobos and unanimously carried to approve the above Resolution.

.....
RESOLUTION

WHEREAS, the Building Official and the Fire Marshal of the City of El Paso have conducted an investigation and have reported to the City Council in writing that they are of the opinion that the structure located on the property at 2731 Portland Avenue, in El Paso, Texas, which property is more particularly described as follows:

Lots: 31 and 32, Block 39, Manhattan Heights Addition, an addition to the City of El Paso, El Paso County, Texas, also known and numbered as 2731 Portland Avenue, El Paso, Texas

is dilapidated, substandard, and unfit for human habitation; is a hazard to public health, safety, and welfare; and

WHEREAS, Marcelino Castillo, record Owner, and all mortgages and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on September 18th, 2001, and

WHEREAS, NO ONE, APPEARED,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That City Council having heard the evidence, makes the following findings:

- a. That the structures located on said property are condemned as substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
- b. That the structures are not in substantial compliance with municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
- c. The structure's certificate of occupancy is hereby revoked; and
- d. That the structures can not feasibly be repaired.

1. That the City Council hereby orders Owner to comply with the following requirements:

- a. That the Buildings be demolished within (30) days; and
- b. That the premises be cleaned of all weeds, trash and debris within (30) days; and
- c. That a public hearing be scheduled for November 13th, 2001, in the City Council Chambers, to determine, if the Council order has been complied with and, if not, to determine penalties; and
- d. That the Owner of said Buildings is hereby ordered to comply with all requirements of the Resolution; and
- e. The owner is advised that in order to obtain a new certificate of occupancy, the entire building, and its service systems must be brought into compliance with the current codes.

- f. That upon failure of the Owner to comply with this Resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to demolish the Buildings and clean the premises of all weeds, trash, and debris; and
3. That upon failure of the Owner to comply with this Order, the City of El Paso through its Deputy Director of Building Services shall demolish the Buildings and clean the premises of all weeds, trash, and debris at its own expense, but for and on account of the Owner of said property; and
4. That said Owner shall become personally liable for all costs incurred by City in connection with the demolition of the Buildings and cleaning the premises of all weeds, trash and debris; and
5. That the costs incurred by the City in connection with the demolition of the Buildings and cleaning the premises of all weeds, trash, and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and
6. That upon failure of the Owner to comply with this Order, one or all of the following actions will be taken:
 - a. The City will perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owner of said property, the cost of which shall be assessed as a lien against the property; and
 - b. That upon failure of the Owner to comply with this order the City Council may assess a civil penalty against the property Owner in an amount not to exceed \$1,000.00 a day for each violation or, if the Owner show that the property is the Owner's lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
 - c. That upon failure of the Owner to comply with this order, the Owner may be confined in jail as permitted by state law; and
7. That upon failure of the Owner, any mortgages or lienholders to restore the Building so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and
8. The Owner, any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within ten (10) days after notice of this Resolution. The findings shall become final after ten (10) days of receipt of Notice; and
9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and
10. That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owner and all other persons having interest in the property as provided by law.

Mr. Thomas Maguire, Building Services Department, presented the case to Council Members and gave the Department's recommendations.

Motion made by Representative Rodriguez, seconded by Representative Sariñana and unanimously carried to approve the above Resolution.

*Motion made, seconded and unanimously carried to delete the public hearing to determine if the Council Resolution of July 24, 2001 for the property located at 9330 Roseway Drive (Rear), in the City of El Paso (legal description on file with the City Clerk) has been complied with and to determine penalties if the Council Order has not been complied with.

.....
No action was taken regarding the discussion on citizens view towards urban sprawl. (Kris Johnson)

Mr. Steve Best, President of Voice For All Animals, addressed Council Members regarding the increasing problem of urban sprawl. He stated that human beings need a new kind of ethic to guide our behavior and recommended a "land ethic". He discussed the aesthetics of the Franklin Mountains and asked that citizens become involved in development projects on the mountains. He also addressed ecology and stated that people should grow within the limits of the ecology and sustainability. He defined "land ethic" as: "a thing is right when it protects the beauty, stability, integrity of the land. It is wrong when it does not."

Mr. Kris Johnson, citizen, stated that urban sprawl is an important issue. He distributed information to Council Members regarding the Strategic Vision for the City of El Paso and noted that in this strategic vision was language regarding improving the quality of urban development within a framework that protects and enhances the local environment. He discussed some property owned by the Public Service Board and noted that the land was tabled for further review and questioned what group was reviewing this land. He asked that the discussion regarding this property be open to the public for citizen's input. He asked that action be taken so that undeveloped, City owned land not be sold until meeting(s) are held that include the public comment/input.

Mayor Raymond C. Caballero replied that the Planning Department is the Department reviewing the land.

Mr. Bill Addington, Border Issues Chair of the El Paso Sierra Club, discussed "smart growth" as utilized by the cities of Albuquerque, NM and Flower Mound, TX. He said he could be reached in Sierra Blanca, TX at 915-369-2541 for additional information and/or comment.

Mayor Caballero explained that the City would be conducting a Legislative Review Committee meeting regarding the PSB's selling of land, water costs and other issues. He noted that all Council Members understand the issues and the need to address the water concerns of the City. He suggested that Mr. Addington participate in the Legislative Review Committee meeting discussions.

Mr. Addington asked that the Development Coordinating Committee be involved in the Legislative Review Committee meetings as well.

Representative Cook asked whether the taxes on distressed properties might be frozen for a period of time to encourage renovations/improvements.

Mayor Caballero stated that this is a good idea and stated that there is a list of other ideas which would be discussed at the Legislative Review Committee meeting.

Representative Medina commented to Mr. Addington that, for the first time, the City has a Mayor who is very interested in issues such as urban sprawl, the deterioration of the Franklin Mountains, the PSB, etc.

Mr. Ruben Reyes, El Paso Green Party, addressed Council Members and stated that he resides in the Northeast part of the City and has noticed that new homes have been developed there that are without the services of the Fire Department, bus stops, etc. He stated that the Green Party is very happy to hear that the Mayor and others are taking an active part in the issues of urban sprawl. He gave his personal telephone number as 821-9919 for further information and asked that individuals not phone his home after 10:00 p.m.

Representative Cook stated that there are plans to build a fire station near the Sherman Park area.

Representative Power stated that, at the Mayor's request, Council Members were planning a meeting with the builders and general contractors in the City in order to look at ways in which the City could provide incentives and work with these companies to develop the central and other areas of the City which were creating urban sprawl.

Representative Cobos thanked the speakers for taking the time to discuss the issue(s) with Council Members.

.....
Motion made by Representative Cook, seconded by Representative Sariñana and carried to approve the recommendation by the Bond Overview Advisory Committee to approve and adopt a proposal by the Parks Board as follows: That a shortfall for purchase of a 58-acre site for the Northeast Regional Park come out of contingency. City staff is instructed to take appropriate action.

Mr. Charles Nutter, Director of the Parks & Recreation Department, explained the item for Council Members. He stated that four years ago the Public Service Board set aside 58 acres in Northeast El Paso. The purchase of the land is during the first year of the Bond issue, the design of the park is during the second year of the Bond issue and construction is planned for the third year of the Bond issue. He stated that the price of the land is the culmination of several Agreements which have been worked out in the past between the Public Service Board and previous Mayors. He explained that the Department appropriated only \$350,000.00 in the first year of the Bond issue for the purchase of the land; however, the price of the land, assessed by the PSB is \$384,450.00. Therefore, the proposal submitted to the Parks and Recreation Department Board and the BOAC is that the budget be increased by \$35,000.00, the money to come from the contingency in the 1st year.

Representative Sumrall asked why the Public Service Board was not in agreement with the 50%.

Mayor Raymond C. Caballero explained that this land purchase has been in the process since 1965, and at that time the price was based on some type of percentage method. He stated that all parties are currently in agreement and are anxiously awaiting the construction of the project.

Mr. Charlie McNabb, Chief Administrative Officer, stated that the item on the Agenda approves the funding source and authorizes staff to take the appropriate action.

Representative Power commented on the Public Service Board's method of negotiating the price of the land.

Representative Sumrall asked if the City was getting water and mineral rights with this property.

Mr. Nutter responded that the PSB keeps the water rights.

Mayor Caballero asked Mr. McNabb when Council Members might be able to revisit the policy statement.

Mr. McNabb stated that the item could be revisited at any item. He explained that the action today directs City staff to take the appropriate action and the Mayor would be consulted before the transfer of monies has taken place.

Representative Sariñana understood that the PSB had already met and set policy that it would be 55%.

Mayor Caballero explained that there is a lack of documentation regarding the how the PSB decides the price and percentages for the land. He added that he and other individuals would meet and discuss these issues.

Mr. Nutter reiterated that the action taken by Council today authorizes the transfer of the monies and not the approval of the land.

Representative Power voted Nay.

.....
*Motion made, seconded and unanimously carried to delete the recommendation by the Bond Overview Advisory Committee to approve and adopt a proposal by the Parks Board as follows: That the City enter into an agreement with the El Paso Diablos whereby the \$40,000 identified for new seats in Sections 'A' & 'S' be used to relocate seats from behind home plate to Sections 'A' & 'S' with any remaining balance going towards the design and construction of concourses behind home plate. Additional costs for the proposed club seating shall be identified as a donation from the El Paso Diablos to the City of El Paso. City staff is instructed to take appropriate action.
.....

No action was taken regarding the presentation and discussion on the El Paso Empowerment Zone as requested by Representative Cobos.

Representative Cobos stated that members of the El Paso Empowerment Zone were present today in order to give a brief presentation on the Empowerment Zone.

Ms. Ada Gonzales, Executive Director of the El Paso Empowerment Zone, stated that the City of El Paso applied for the application under the Empowerment Zone designation in 1994. This application was not accepted; however, in 1999 the application, submitted by the Council Members at that time, was approved by the U. S. Congress. This application designated a 10.2 square mile area of El Paso as economically deprived. In 1999, \$3 million dollars was assigned, as well as, \$3.5 million in 2000 and \$12.5 million for the year 2001. The main objective of the El Paso Empowerment Zone is to create wealth in the Empowerment Zone. The Empowerment Zone is designated as a 501(c)(3) with the City of El Paso designated as the fiscal agent.

She referred Council Members to documents provided to them as reference and further discussed these documents for clarification purposes. She discussed job creation, job training and job placement. She discussed the number of housing units which have been built and how many EZ residents are being served by human development, education and other projects.

She then discussed the first year projects and the disbursement of funds for these projects. She explained that some projects did not fully utilize their funds and that the monies not utilized have been rolled over into the second year projects. She explained the four granting cycles and stated that in the first granting cycle, May 2001, \$3.3 million dollars was allocated by the El Paso Empowerment Zone Board of Directors. During the second granting cycle, August 2001, \$17 million dollars was requested for use. She gave the Empowerment Zone's website address as: www.elpasoez.org.

She highlighted "Barrio 2000" which is a project to build wealth and which proposes bringing to the City an investment of \$5 million dollars from a national development corporation through the National Council of La Raza.

Mayor Raymond C. Caballero thanked Ms. Gonzales for presenting the information to Council Members. He stated that the Empowerment Zone provides enormous opportunity for El Paso. He addressed the Unified Medical Campus, most of which falls within the Empowerment Zone.
.....

Motion made by Representative Sumrall, seconded by Representative Cook and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance permitting Coronado Baptist Church to use a portion of Frank Delgado Park from 12:00 PM until 5:00 PM on October 6, 2001. Fee: \$60.00

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

.....
ADDITION TO THE AGENDA

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the following contracts on behalf of the Arts Resources Department for the FY 2002 Art Windows of El Paso Gallery, at the El Paso International Airport, as recommended by the Arts Resources Department Staff:

1. Vladimir Alvarado, cost of \$1,000.00, for the exhibition during October 1, 2001 through January 15, 2002.
2. Marta Arat; cost of \$1,000.00 for the exhibition during October 1, 2001 through January 15, 2002.

.....
***RESOLUTION**

WHEREAS, the significant need for New York City and Washington, D.C. disaster relief necessitates a nation-wide response and establishes a significant public purpose justifying the use of City facilities for the collection of aid.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the action of the Mayor in authorizing the American Red Cross to use Police Headquarters and all five Police Regional Command Centers on Saturday, September 15, 2001, from 8:00 am to 5:00 pm, for the purpose of collecting cash donations for New York City and Washington D.C., disaster relief be ratified.

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement by and between the City of El Paso and the Treasury Law Enforcement Agencies (U.S. Customs) for a special joint law enforcement task force from October 1, 2001 through September 30, 2002. U.S. Customs will reimburse the City for certain overtime personnel costs incurred during the operation.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Contract between the **CITY OF EL PASO** and **MARIA MILLER**, as a Programmer/Analyst for the Information Technology Department at a biweekly rate of \$1,521.60, up to 40 hours per week. The term of the contract is from September 19, 2001 through September 18, 2003.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, having found in accordance with Section 13.32.040 of the El Paso Municipal Code that (1) the late filing was not due to a lack of diligence on the part of the applicant; and (2) the short notice does not unreasonably prejudice the City in preparing for the parade or temporary event, has approved the following parade permit, and that such approval is hereby ratified:

Sto. Nino de Atocha Church to hold a Candlelight Vigil Procession "National Pray Day" on September 14, 2001, at 6:30 p.m. to 7:30 p.m. Route: Start at Church, south on Clark to Simpia, right on Simpia to Collingsworth, right on Collingsworth to Geyer, right on Geyer, across Clark to the back entrance of the Church.
Approximately 150 will take part and 100 spectators are anticipated.

*Motion made, seconded and unanimously carried to approve Representative Rodriguez' request that a Purchase Order be made in the amount of \$1,055 to purchase McGruff Reflective Halloween Bags and McGruff Lightsticks for the various Park Centers in District 2.

Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

Board Appointment of Ricardo Carlos Caballero to the Districting Commission by Representative Medina.

Representative Cobos asked if this gentleman was related to the Mayor.

Mayor Raymond C. Caballero stated no.

Motion made by Representative Medina, seconded by Representative Sumrall and unanimously carried to appoint Ricardo Carlos Caballero to the Districting Commission by Representative Medina.

Mr. Charlie McNabb, Chief Administrative Officer, asked that the item be postponed one week.

Representative Medina asked if the item could be discussed during the Executive Session.

Mr. McNabb responded yes.

Representative Sariñana was not present for the vote.

*Motion made, seconded and unanimously carried to approve the request of Rods n Wheels Bar & Grille to hold a motorcycle parade on Sunday, September 23, 2001, 2:00 p.m. to 3:00 p.m., to benefit the Red Cross. Route: Starting at Barnett Harley-Davidson, 8272 Gateway East, north on Lee Trevino, west on Montana to Mesa, North on Mesa to Shadow Mountain, ending at Turtle Cove Shopping Center. Approximate number of participants 500 persons, approximate number of spectators 200. PERMIT NO. 01-029

Motion made by Representative Medina, seconded by Representative Cook and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

Section 551.071 CONSULTATION WITH ATTORNEY
Section 551.072 DELIBERATION REGARDING REAL PROPERTY
Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074 PERSONNEL MATTERS
Section 551.076 DELIBERATION REGARDING SECURITY DEVICES

- A. Christina Madrid, 01-COL-009 (551.071)
- B. Elvia B. Duarte, 00-C-271 (551.071)
- C. Michael Fuller, 01-C-059 (551.071)
- D. Michael Draper vs. The City of El Paso, Cause No. 97-4063 (551.071)
- E. Higginbotham, Smith vs. The City of El Paso, Cause No. 91-14506 (551.071)
- F. Discussion and action on the Department of Justice's findings regarding city hiring practices. (Section 552.071)
- G. Board Appointment of Ricardo Carlos Caballero to the Districting Commission by Representative Medina.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, during which time motions were made as follows: Representative Sariñana was not present for the Executive Session votes.

.....
Mr. Charlie McNabb, Chief Administrative Officer, stated that the first item to be discussed was the Board Appointment of Ricardo Carlos Caballero to the Districting Commission by Representative Medina and stated that on the resume submitted by Mr. Caballero it was noted that he is a trustee of Region 19 and explained that this office is elected by the School Board not by the public.

Motion made by Representative Medina, seconded by Representative Sumrall to approve the Board Appointment of Ricardo Carlos Caballero to the Districting Commission by Representative Medina.

.....
Motion made by Representative Medina, seconded by Representative Cook and carried that the City Attorney be **AUTHORIZED TO PURSUE A LAWSUIT** in the claim entitled **THE CITY OF EL PASO vs. CHRISTINA MADRID**; Our File No. 01-COL-009, as recommended by the City Attorney.

.....
Motion made by Representative Medina, seconded by Representative Sumrall and carried that the City Attorney be **AUTHORIZED SETTLEMENT AUTHORITY** in the claim entitled **ELVIA B. DUARTE**; Our File No. 00-C-271 as recommended by the City Attorney.

.....
Motion made by Representative Medina, seconded by Representative Sumrall and carried that the claim entitled **MICHAEL FULLER**; Our File No. 01-C-059 be **DENIED** as recommended by the City Attorney.

.....
Motion made by Representative Medina, seconded by Representative Cook and carried that the City Attorney be **AUTHORIZED TO DENY SETTLEMENT DEMAND** in the lawsuit entitled **MICHAEL DRAPER vs. THE CITY OF EL PASO, et. al., Cause No. 97-4063**; Our File No. 98-S-04, as recommended by the City Attorney.
.....

Motion made by Representative Medina, seconded by Representative Cook and carried that the City Attorney be **AUTHORIZED SETTLEMENT AUTHORITY** in the lawsuit entitled **RUTH L. HIGGINBOTHAM, PETER SMITH vs. THE CITY OF EL PASO, et. al., Cause No. 91-14506**, as recommended by the City Attorney.

Motion made by Representative Medina, seconded by Representative Cook and carried that the City Attorney be **AUTHORIZED TO HIRE CONSULTANTS REGARDING THE DEPARTMENT OF JUSTICE'S FINDINGS REGARDING CITY HIRING PRACTICES**; as recommended by the City Attorney.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to adjourn this meeting at 12:45 p.m.

APPROVED AS TO CONTENT:

Carole Hunter

Carole Hunter, City Clerk

APPROVED AS TO FORM:

Rita Rodriguez

Rita Rodriguez, First Assistant City Attorney